

From: Mashubi Rochell
To: Kathleen Abernathy
Date: Tue, Feb 18, 2003 8:07 AM
Subject: Keep media free and competitive

Dear Commissioner:

One of the basic elements which help to keep the American media at least partially free and independent is the set of FCC regulations restricting consolidation and monopolies.

In the 2002 Biennial Review, the FCC appears to be planning to roll back many of these protective regulations: the Newspaper/Broadcast Cross-Ownership Rule, the National Broadcast Ownership Cap, the Local Radio Ownership Rule, the Duopoly Rule and the Dual Network Rule.

Relaxation or abandonment of the preceding rules will result in the purchase of local and independent newspapers and radio and television stations by large media giants. The cost to the American People and Democracy will be far too high if local news, reportorial freedom and access to a true variety of legitimate views are further compromised.

Commissioner, I urge you to make sure the FCC does not relax or drop these vital regulatory rules.

Sincerely,

Mashubi Rochell

From: Cassandra Redding
To: Kathleen Abernathy
Date: Tue, Feb 18, 2003 8:07 AM
Subject: FCC don't allow media monopolies

Dear Commissioner:

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Commissioner, I urge you to make sure the FCC does not relax or drop these vital regulatory rules.

Sincerely,

Cassandra Redding

Get Your Private, Free Email at <http://www.hotmail.com>

From: Preston Johnson
To: Commissioner Adelstein
Date: Tue, Feb 18, 2003 9:30 AM
Subject: Comments to the Commissioner

Preston Johnson (preston_e_johnson@yahoo.com) writes:

Please preserve and strengthen the limits on corporate ownership of media. A responsive media is vital to democracy and public engagement with local issues. Because the government is providing these media companies with local monopolies on the radio and television dials it is the right and responsibility of government to ensure that these companies act in the public interest.

Please look at this link for more information on how the large media conglomerates fail to produce quality local news:

<http://www.journalism.org/resources/research/reports/ownership/default.asp>

Thank you.

Server protocol: HTTP/1.1
Remote host: 205.184.169.93
Remote IP address: 205.184.169.93

From: Nyhlenk@aol.com
To: Mike Powell
Date: Tue, Feb 18.2003 10:00 AM
Subject: TV Station Ownership rules

FROM:
2820 S. Sepulveda Blvd. #16
Los Angeles, CA 90064
(310) 312 3353
email: NyhlenK@aol.com
February 18-2003

TO:
Michael K. Powell, Chairman
Kathleen Q. Abernathy, Commissioner
Michael J. Copps, Commissioner
Kevin J. Martin, Commissioner
Jonathan S. Adelstein, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

VIA EMAIL

RE: TV STATION OWNERSHIP

Dear Chairman and Commissioners of the FCC:

I am writing concerning the TV Station Ownership rules. To give you background on my position, kindly note that I am an American citizen with sixteen years of experience in film and television distribution throughout the world and an M.S. degree in TV/Radio/Film (conferred Summa Cum Laude) from the S.I. Newhouse School of Public Communications at Syracuse University. My primary career focus, at major and independent studios in our country, has been the buying and selling of motion pictures and television properties, and my most recent position was negotiating film distribution contracts for a major Canadian film production/distribution company, Alliance Atlantis. Prior to that I was employed in similar capacities at 20th Century Fox, CBS, Republic Pictures and Hallmark Home Entertainment.

I am totally against any changes to the FCC rule that prevents a single company from owning TV stations that reach more than 35% of households nationwide. I oppose changes due to these reasons:

1. Consolidation does not promote diversity
2. Consolidation removes jobs
3. News Corporation (owner of Fox) is an Australian corporation

As you are aware, the FCC allocates broadcast spectrum to serve the public interest. If one company reaches more than 35% of households nationwide, I do not understand how that can serve the public interest. One company will dictate the news orientation and editorials emanating from the station.

From experience, I have been the constant victim of downsizing thanks to consolidations. Republic Pictures was acquired by Spelling and then Paramount bought Spelling. The entire company was closed, a lost of more than 100 jobs. Last year at this time, I was informed that operations from my company were moving to Dublin Ireland. More than a 100 U.S. jobs were terminated. My former employer offered me a job in Dublin Ireland, but why would I want to move there when I am an American?

One of the current network owners is Australian! I do not want Rupert Murdoch, who ultimately was my boss at Fox, in charge or more than 35% of TV households across the nation. TV is an American

phenomenon. Further, when I was in the United Kingdom for a month last year, the Sky Channel, also owned by Murdoch, programmed 8 hours of The Simpsons every day. That is not diversity!

In fact, I suggest that this rule be changed to limit ownership of TV stations that reach 20% of U.S. TV market.

Thank you for your consideration

Kind regards,

Karen Nyhlen

From: Kathleen Abernathy
To: KAQUINN
Date: Tue, Feb 18, 2003 10:15 AM
Subject: Fwd: TV Station Ownership rules

From: Nyhlenk@aol.com
To: Kathleen Abernathy
Date: Tue, Feb 18, 2003 10:15 AM
Subject: TV Station Ownership rules

FROM:
2820 S. Sepulveda Blvd. #16
Los Angeles, CA 90064
(310) 312 3353
email: NyhlenK@aol.com
February 18-2003

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From: Nyhlenk@aol.com
To: Michael Copps
Date: Tue, Feb 18, 2003 10:16 AM
Subject: TV Station Ownership rules

FROM:
2820 S. Sepulveda Blvd. #16
Los Angeles, CA 90064
(310) 312 3353
email: NyhlenK@aol.com
February 18-2003

TO:
Michael K. Powell, Chairman
Kathleen Q. Abernathy, Commissioner
Michael J. Copps, Commissioner
Kevin J. Martin, Commissioner
Jonathan S. Adelstein, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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From: Nyhlenk@aol.com
To: Commissioner Adelstein
Date: Tue, Feb 18, 2003 10:18 AM
Subject: TV Station Ownership rules

FROM:
2820 S. Sepulveda Blvd. #16
Los Angeles, CA 90064
(310) 312 3353
email: NyhlenK@aol.com
February 18-2003

TO:
Michael K. Powell, Chairman
Kathleen **Q.** Abemathy, Commissioner
Michael J. Copps, Commissioner
Kevin J. Martin, Commissioner
Jonathan **S.** Adelstein, Commissioner
Federal Communications Commission
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Kind regards,

Karen Nyhlen

From: Marilyn G. W.
To: Kathleen Abernathy
Date: Tue, Feb 18, 2003 12:58 PM
Subject: Don't weaken limitations on media ownership

Dear Commissioner,

It is incumbent that the current limitations on ownership of media remain. If there is any change, it should be toward DECREASING THE NUMBER OF MEDIA OUTLETS one individual or corporation may own. Our access to information is at stake. We need the small, independent local outlets!

Sincerely,
Marilyn G. Wolters
16404 Melody Lane
Guerneville, CA 95446

From: Marilyn G. W.
To: Michael Copps
Date: Tue, Feb 18, 2003 12:58 PM
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Sincerely,
Marilyn G. Wolters
16404 Melody Lane
Guerneville, CA 95446

From: Manganello, Zachary
To: Kathleen Abernathy
Date: Tue, Feb 18, 2003 1:25 PM
Subject: Save radio from corporate consolidation

Dear Commissioner Abernathy,

I am writing to encourage you to oppose further deregulation of the mass media industry. When the FCC was created in the 1930's, the radio industry was regulated **so** as to limit companies from owning more than two stations in a given market locality or more than 28 stations nationwide. The regulation was "designed to keep ownership as diverse as possible and keep the stations' focus as local as possible." Though things have changed since then, I believe this basic logic still holds. The 1996 Telecommunications Act relaxed the rules implemented in the '30s, resulting in the rapid consolidation of many companies. The University of Texas reports that today, **just** six years after the Act was passed, four companies control 90% of all nationwide advertising revenue, and Clear Channel Communications, the industry giant, owns more than 1,200 stations. In addition to the **loss** of local and diverse news coverage and industry jobs, the trend is toward homogenization in radio programming, making it even more difficult for independent artists and labels to get airtime.

I love independent news, music, and radio stations, and the idea of further "Clear Channelization" of the mass media makes me cringe. I find it impossible to listen to anything outside of the noncommercial band, as the corporate media focus more and more on ratings and **less** and **less** on quality programming. Please, for the sake of an independent media, if not for the sake of the sanity of all of **us** who despise listening to the exact same music and news stories on all the stations we can receive, please vote to halt and reverse further deregulation of the mass media industry.

For more information, I encourage you to read a very thorough report compiled by the Future of Music Coalition (FMC) at www.futerofmusic.org

Thank you for your time and consideration.

Sincerely,

Zachary Manganello
48 Val Halla Road
Cumberland, ME 04021-9553

From: David Percy
To: Commissioner Adelstein
Date: Tue, Feb 18, 2003 1:36 PM
Subject: Comments to the Commissioner

David Percy (percyd@teleport.com) writes:

Dear Commissioner Adelstein,

I am concerned about the consolidation of media power that the proposed deregulation of media that you are considering will cause.

We have seen the results of the 1996 deregulation; the silencing of independent radio voices, and the limiting of competition.

Remember that it is our job in a capitalistic society to ensure competition! This is what ensures efficiency and choice. It is our job to fight monopoly, and in markets such as broadcast, where a limited resource is available, regulation must be used to achieve this.

I am also concerned that owners of a few media outlets will effectively silence voices of opposition, a dangerous situation in a democracy. We **deserve** pluralism, not homogeneity.

Please do not further degrade the media situation in this country. We already face a pathetic set of choices, and you should consider rolling back the deregulation of 1996.

Respectfully yours,
David Percy
Geology Faculty
Portland State University

Server protocol: HTTP/1.1
Remote host: 209.162.215.226
Remote IP address: 209.162.215.226

From: jrode@rccdc.org
To: Michael Copps
Date: Wed, Feb 19, 2003 9:10 AM
Subject: Consider The Needs Of Children!

FCC Commissioner Michael J. Copps

Dear FCC Commissioner Michael J. Copps,

I urge the FCC to consider the distinct needs of children in its upcoming rulemaking on broadcast ownership rules.

Children consume almost five and a half hours of media per day. Research has shown that media, particularly television, play a unique and powerful role in the development of children.

The relaxation of media ownership rules will result in significantly less original programming for children. Relaxation also will reduce competition, potentially stifling innovation and increasing commercialism in children's programming.

Before making any regulatory changes to existing media ownership rules, the FCC must consider how children will be affected.

Sincerely,

Janna Rode
22476 Hwy. 190
Robert, Louisiana 70455

cc:
Senator John Breaux
Representative David Vitter
Senator Mary Landrieu

From: jrode@rccdc.org
To: Commissioner Adelstein
Date: Wed, Feb 19, 2003 9:10 AM
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22476 Hwy. 190
Robert, Louisiana 70455

cc:
Senator John Breaux
Representative David Vitter
Senator Mary Landrieu

From: tom barger
To: Commissioner Adelstein, Johanna.Mikes@mail.house.gov
Date: Wed, Feb 19, 2003 11:24 AM
Subject: Clear Channel's big, stinking deregulation mess]

From: owner-pho@onehouse.com
To: Pho
cc:
Subject: pho: Clear Channel's big, stinking deregulation mess

http://www.salon.com/tech/feature/2003/02/19/clear_channel_deregulation/print.html

Feb. 19, 2003 | Clear Channel Communications, the radio and concert conglomerate so many people love to hate, has a new batch of disgruntled critics to deal with. But this time it's not the musicians who claim that the entertainment giant plays hardball and locks acts off the airwaves, or the broadcast rivals who allege the company leverages its unmatched size to drive competitors out of business, or even the former employees who insist the company's rampant cost-cutting style has gutted American radio.

Nope — now the heat is coming from other media company executives and Beltway lobbyists. They are dismayed that Clear Channel is doing what many might have thought impossible. In an era when Republicans control the government and big business generally gets what it wants, Clear Channel is making deregulation look bad.

Executives at television, cable and newspaper companies want the government to lift ownership caps that limit the number of properties their companies can own. They've been envious of radio ever since the 1996 Telecommunications Act singled out radio for sweeping ownership deregulation. Passage of the Telecom Act paved the way for Clear Channel to expand from 40 stations to 1,225, and in the process, exert unprecedented control over the industry.

Today, broadcast, cable and newspaper giants like Viacom, Comcast and Gannett want a chance to expand their empires and enjoy the same large-scale efficiencies that Clear Channel has profited from. But they're frustrated. After years of intensive lobbying and with a Federal Communications Commission chairman, Michael Powell, who is widely considered to be thoroughly pro-deregulation, the havoc wrought upon radio by Clear Channel is unexpectedly offering ample proof of what can go wrong with media deregulation. Radio's current mess is having a significant impact on the debate over media concentration, and may even force Powell to water down his long-awaited ownership recommendations.

This is not how it was supposed to work.

"Media deregulation would appear to be slam dunk," says Mark O'Brien, executive vice president of BIA Financial, an investment firm specializing in broadcasting and telecommunications. 'You've got a Republican administration, Powell supports it, and radio's already done it. On the other hand, it's because radio has done it, and particularly what Clear Channel has done, that puts pressure on Powell. Opponents point to Clear Channel and say, 'Here's what we don't want to happen to the rest of the media.'"

As Sen. Ron Wyden, D-Ore., recently put it, 'The country ought to be pretty reluctant to repeat the radio [deregulation] experiment.'

Consumer discontent with broadcast radio appears to have finally gotten the attention of politicians. Appearing before the Commerce Committee in January, Powell received an earful from senators who for years were indifferent to radio. Suddenly, they were pressing him about the industry's runaway consolidation. In a rare move, Powell, an articulate free-market advocate who thinks today's ownership rules don't "reflect the realities of the modern media marketplace," conceded he was "concerned about the concentration, particularly in radio."

"The Commerce Committee," says BIA Financial's O'Brien, "was sending a message to the FCC about media consolidation: We don't want this to happen again."

That point was amplified again in late January when Commerce Committee chairman Sen. John McCain, R-Ariz., held another media consolidation hearing, this one focusing almost exclusively on Clear Channel. At the hearing, the company's billionaire founder and CEO Lowry Mays came face to face with critics from the radio and record world.

Classic rocker Don Henley testified that artists are "shackled by the anti-competitive practices of the conglomerates." Sen. Russ Feingold, D-Wis., took the opportunity to reintroduce his legislation, the Competition in Radio and Concert Industries Act, a bill that takes direct aim at Clear Channel and radio consolidation. Rep. Howard Berman, D-Calif., cataloged a laundry list of allegations his office had received after he wrote the Department of Justice and the FCC urging them to investigate complaints about Clear Channel and its role in the radio and concert business. Joining the pile-on was Sen. Ernest "Fritz" Hollings, D-S.C., the committee's ranking Democrat, who complained, "Radio consolidation has contributed to a 34 percent decline in the number of owners, a 90 percent rise in the cost of advertising rates, [and] a rise in indecent broadcasts. If ever there were a cautionary tale, this is it."

For his part, Clear Channel's Mays, who purchased his first AM radio station in 1972, insisted "The industry is healthier and more robust than ever before," and argued that Clear Channel has simply done what the Telecom Act was supposed to allow broadcasters to do: expand. (Clear Channel today owns approximately 970 more stations than its closest competitor.) As for the allegation that Clear Channel squeezes artists by threatening to curtail radio airplay if acts don't tour with Clear Channel's concert division, Mays insisted the company "does not use the threat of reduced airplay to force musicians to tour with us or retaliate." Clear Channel is currently being sued over that very allegation.

While Feingold's legislation is no closer to being passed this year than it was last, and nobody is suggesting that Congress or the FCC will go so far as to re-regulate radio, the hearing did get the attention of the Justice Department, which for months has been sitting on requests to look into anti-competitive allegations about Clear Channel. Just hours after the hearings concluded, the DOJ contacted, for the first time, radio industry players who had indicated they'd be willing to cooperate with a Clear Channel probe.

It's too soon to tell whether the DOJ will launch such an investigation, but the fact that the DOJ is even making inquiries is a sign of just how much Clear Channel's radio exploits have become a political issue. Clear Channel has been forced to devote an increasing amount of money and time in efforts to fix its battered image, particularly inside the Beltway.

Last year the company opened a Washington office and hired Andrew Levin as its top lobbyist. Levin formerly served as counsel to Rep. John D. Dingell, Democrat of Michigan, the ranking minority member of the House Commerce Committee. (Salon was unable to contact Levin by press time.) And in early February Clear Channel announced that former Oklahoma Rep. J.C. Watts was joining the company's board of directors.

All that Beltway firepower may come in handy; there is congressional speculation that the Senate Judiciary Committee may soon schedule a hearing to investigate the controversial issue of pay-for-play. That's where record companies pay middlemen, or "indies," millions of dollars in order to get songs on the radio. Major radio players such as Clear Channel profit handsomely from the system, but artists insist it is pure extortion.

None of those headlines are good news for media conglomerates busy pressing their case for deregulation. Indeed, News Corp. chairman Rupert Murdoch quietly made the rounds on the eighth floor of the FCC in early February pressing his case with commissioners. No doubt, Murdoch and all the other major players would have preferred to make their case without the topic

of deregulation itself becoming a political hot button

But Clear Channel, a proven magnet for criticism, has given foes of deregulation ample ammunition, to the dismay of those who want ownership caps in other industries lifted. "It doesn't help to have this brouhaha," says one senior executive with a major television company. "We like consolidation, but Clear Channel gives it a bad name."

Clear Channel itself stands to lose if the rush toward deregulation is slowed by the company's own actions. If Powell's FCC succeeds in dramatically relaxing ownership limits for media, there's a chance Clear Channel could, once again, be one of the major beneficiaries. The company already owns 36 television stations and might be a prime suspect for going on a buying spree in an attempt to further lock up media markets.

"Absolutely that's a possibility," says O'Brien. "If they have money to invest and the government lets them, they'll certainly look at that and do deals to advance their interests."

The results, says the owner of one Southeastern advertising agency, would, "be a disaster for small business, or anybody smaller than Clear Channel." The executive, who requested anonymity, says local Clear Channel radio-sales reps, wielding leverage drawn from an unprecedented stable of stations in his market, routinely bully agencies and clients.

"Clear Channel will do anything they can. threaten me, go to my clients directly, anything to get control of the markets. And once they've got that control they can do whatever they want, including raise the rates," he says. "They're a clear example of what can happen with deregulation. They've ruined radio, as far as I'm concerned. And now they're licking their chops to be able to control more of what the public sees and hears."

At stake in the media-ownership debate, depending on how far Powell's FCC goes, are revolutionary changes in the way Americans receive much of their news and entertainment

Currently, a single media company is not allowed to own a newspaper and a TV station in the same market. Some do, but only through grandfather clauses and waivers. For instance, News Corp. owns both the New York Post and WNYW-TV in New York.

But if caps are lifted it would be possible for competing television networks to merge, and just one company could own newspaper, radio, television and cable Nproperties in the same market. In this world, theoretically, Disney could buy the Gannett chain and become the nation's largest newspaper publisher.

"I hope commissioners understand the significance, for decades to come, of what they're talking about doing," says Reed Hundt, the former FCC chairman under President Clinton. "Once they open the Pandora's box will they be able to control it?"

With the White House taking a hands-off approach, Powell enjoys extraordinary latitude in crafting the ownership rules. The plan has been to issue the new rules this spring, as long as he can get two of the other four FCC commissioners to vote his way. Until recently this was considered to be something of a fait accompli: There are three Republicans and only two Democrats on the commission.

The surprising news in 2003, however, has been that one Republican commissioner, Kevin Martin, has been staking out a much more cautious approach to cross-ownership than Powell. His vote will be crucial since both Democratic commissioners are adamantly opposed to drastically relaxing the ownership rules. One in particular, Michael Copps, has been battling Powell every step of the way. According to Copps, Powell must choose whether to visit upon the rest of the broadcast media that which has already been visited upon radio — and perhaps much, much more."

Copps has taken his anti-deregulation show on the road, sponsoring public forums across the country to gin up support. Miffed that he wasn't consulted about the moves, and arguing that only the FCC chairman can officially schedule meetings to debate ownership limits, Powell forced the agency to put out a corrected press release noting Copps' hearings were merely "field meetings."

The FCC will sponsor just a single night of public debate on the ownership caps issue, Feb. 27, in Richmond, Va. That's actually an improvement over what happened with the '96 Telecom Act, which was passed without any public debate, either by Congress or the FCC, on the question of how sweeping deregulation would affect America's radio industry. That's because, riding high on its Contract With America victory, Republicans, particularly in the House, were adamant about passing the Telecom Act.

Many of their truly radical proposals, such as allowing one company to own every radio station in a market, were eliminated from the Telecom Act by the White House. But in the end, all national caps were lifted and broadcasters were allowed to own as many as eight stations in the larger markets.

Today, the question is whether media players in other industries will get their turn in the deregulation sun.

"I think Powell sees the green light and is churning ahead towards deregulation," says Gene Kimmeiman, senior director of public policy for the Consumers Union.

Powell is probably training most of his congressional attention on the Commerce Committee chairman, Sen. McCain, with whom he enjoys very close relations. Back in the '90s, McCain, an old family friend, recommended Powell to fill a Republican vacancy and become one of the FCC's five commissioners. There was no vacancy per se; McCain, in an unusual move, simply urged that a sitting Republican commissioner not be reappointed for another term in order to make room for Powell. In November 1997, Powell officially became a commissioner.

"McCain's the most important player in this [deregulation] story, he holds the linchpin, but his views are unknown," notes Hundt. Following the Democrats' midterm defeat last year, McCain took over the Commerce Committee chairmanship from Sen. Hollings. In real terms, Congress cannot tell Powell what to do at the FCC. But it can certainly make its views known, and any sitting FCC chairman would disregard those views at his own peril.

"I don't believe Michael Powell would ignore the combined weight of Hollings and McCain" on the question of media deregulation, says Hundt. "But if McCain is in favor of huge media conglomerates merging, Powell will happily get out the eraser and erase restrictions that stop it."

"It's difficult to read how McCain will finally act on this," adds one congressional aide involved in the media ownership debate. "Traditionally he takes the deregulation road, but for a Republican he has this weird populist, consumerism streak. Still, if I had to bet I'd say he'll be for loosening regulation."

McCain's trademark maverick style was on display during the recent Clear Channel hearings. CEO Mays came in for some tough questioning from the chairman, who at times badgered the billionaire ("Do you have any plans to obtain more radio stations? I'd like to ask the question for the third time.") The testy exchange surprised some D.C. observers, although some simply chalked it up to McCain's occasionally abrasive style. But perhaps the former presidential candidate was still smarting at the thrashing that Clear Channel's showcase syndicated talker, Rush Limbaugh, gave the senator during the 2000 presidential primaries. Following McCain's surprising 19-point victory in New Hampshire, Limbaugh rushed to candidate George Bush's aid, undressing McCain on the air for weeks on end, ridiculing the senator's integrity and credentials.

McCain might, then, have a personal beef with Clear Channel. But the larger problem signified by Clear Channel's deregulation adventures should be more worrisome to the senator. When one company dominates an industry, it can leverage its monopoly power in all kinds of unpleasant ways, both politically and economically. Does anyone really want what happened to radio to happen to *TV* or newspapers, or cable television?

From: Christina Maniscalco
To: Mike Powell
Date: Wed, Feb 19, 2003 1:00 PM
Subject: Preserve Diversity and Openness in the Media and on the Internet

Christina Maniscalco
815 On the Green
Biloxi. MS 39532

February 19, 2003

Federal Communications Commission Chair Michael K. Powell
445 12th St SW
Rm 8-A204
Washington, DC 20554

Chair Powell:

The Federal Communications Commission is responsible for ensuring that the media serve the public interest. I am concerned that the FCC is acting on behalf of big business rather than the people.

It is clear that the FCC has stepped up its efforts to de-regulate the media and telecommunications industries. You must act now to halt further media consolidation and to preserve the openness and diversity of the Internet.

As a supporter of women's rights, I am concerned that the current media merger free-for-all threatens to rob us all of the independent voices, views and ideas that nourish a pluralistic, democratic society. Ownership consolidation is squeezing out what little diversity remains in the marketplace

The media are more than just a business; they bring information to people that affects their lives. We cannot have a healthy democracy, and women cannot pursue equal rights, if we are uninformed on the issues. The media have a responsibility to serve the public interest and ensure that all voices are heard. It is your **job** to promote this.

Please remember U.S. consumers and citizens when you review any further regulations. The media giants already control far too much of our precious information resources.

Sincerely,

Christina Maniscalco